

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 03-30047-MAP

UNITED STATES OF AMERICA,

v.

MELVIN RICHARDSON,,

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1 - 92

and contained in 1 Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 10/11/06

In testimony whereof, I hereunto set my hand and affix the seal of this Court on *October 17, 2006*

Sarah A Thornton, Clerk of Court

By: */s/ Mary Finn*

Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: _____.

Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL, CLOSED

**United States District Court
District of Massachusetts (Springfield)
CRIMINAL DOCKET FOR CASE #: 3:03-cr-30047-MAP-ALL**

Case title: USA v. Richardson
Magistrate judge case number: 3:03-mj-00682-KPN

Date Filed: 11/13/2003

Assigned to: Judge Michael A Ponsor

Defendant

Melvin Richardson (1)
TERMINATED: 10/13/2006

represented by **Richard J. Maggi**
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TERMINATED: 06/24/2004
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Designation: CJA Appointment

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Designation: Retained

Pending Counts

POSSESSION WITH INTENT TO

Disposition

216 months imprisonment to consist of terms of 216 months on each count to be served concurrently w/one another; Jud. Rec: That defendant be permitted to participate in the 500 hour intensive drug abuse program and that he be allowed to serve this sentence at the Federal Facility located in Ft. Devens, MA; Def. remanded to custody of U.S. Marshal Service; 4 yrs Sup Rel. on all

DISTRIBUTE COCAINE BASE,
21:841A=CD.F
(1s)

counts to be served concurrently w/one another; Possess no firearm, participate in program for substance abuse as directed b Probation, which program may include testing, not to exceed 104 drug tests per year, and contribute to costs of services for such treatment based on ability to pay; Participate in a mental health treatment program as directed and contribute to costs based on ability to pay; \$400 assessment fee due immediately;

POSSESSION WITH INTENT TO
DISTRIBUTE COCAINE,
21:841A=CD.F
(2s)

POSSESSION WITH INTENT TO
DISTRIBUTE AND DISTRIBUTION
OF COCAINE BASE, 21:841A=CD.F
(3s)

POSSESSION OF A FIREARM BY A
CONVICTED FELON, 18:922G.F
(4s)

Highest Offense Level (Opening)

Felony

Terminated Counts

18 U.S.C. 922(g)(1) POSSESSION OF
A FIREARM BY A CONVICTED
FELON
(1)

21:841A=CD.F POSSESSION WITH
INTENT TO DISTRIBUTE CRACK
COCAINE
(2)

Highest Offense Level (Terminated)

Felony

Complaints

18 U.S.C. 922(g)(1) POSSESSION OF
A FIREARM BY A PREVIOUSLY
CONVICTED FELON

Disposition





Disposition

Plaintiff**USA**

represented by **James Richard Goodhines**
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Date Filed	#	Docket Text
10/31/2003	 1	COMPLAINT as to Melvin Richardson (1). (Healy, Bethaney)[3:03-mj-00682-KPN] (Entered: 11/12/2003)
10/31/2003	 2	CJA 23 Financial Affidavit by Melvin Richardson SEALED AND PLACED IN VAULT. (Healy, Bethaney)[3:03-mj-00682-KPN] (Entered: 11/12/2003)
10/31/2003	 3	MOTION for Detention as to Melvin Richardson by USA. (Healy, Bethaney)[3:03-mj-00682-KPN] (Entered: 11/12/2003)
10/31/2003	 4	ELECTRONIC Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Initial Appearance as to Melvin Richardson



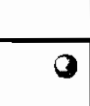
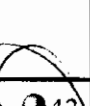



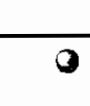


		held on 10/31/2003. Deft advised of rights and requests appointment of counsel. Court appoints counsel and order[3:03s Deft detained pending further hearing on 11/3/03. (Healy, Bethaney)[3:03-mj-00682-KPN] (Entered: 11/12/2003)
10/31/2003	4	Judge Kenneth P. Neiman : ORDER entered ORDER OF DETENTION as to Melvin Richardson Detention Hearing set for 11/3/2003 at 02:00 PM in Courtroom 3 before Magistrate Kenneth P. Neiman; cc/cl. (Finn, Mary)[3:03-mj-00682-KPN] (Entered: 11/13/2003)
11/03/2003		ELECTRONIC Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Detention Hearing as to Melvin Richardson held on 11/3/2003. Deft waives issue of detention at this time and is ordered detained pending trial. Preliminary[3:03 exam set for 11/13/03 at 2:00 p.m. (Healy, Bethaney)[3:03-mj-00682-KPN] (Entered: 11/12/2003)
11/03/2003	5	Magistrate Judge Kenneth P. Neiman. ORDER OF DETENTION PENDING TRIAL as to Melvin Richardson ENTERED, cc:cl. (Healy, Bethaney)[3:03-mj-00682-KPN] (Entered: 11/14/2003)
11/13/2003	6	INDICTMENT as to Melvin Richardson (1) counts 1, 2. (Healy, Bethaney) (Entered: 11/18/2003)
11/13/2003	7	Magistrate Judge Kenneth P. Neiman. SCHEDULING ORDER as to Melvin Richardson setting Status Conference for 12/23/2003 at 10:30 AM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman, ENTERED, cc:cl. (Healy, Bethaney) (Entered: 11/18/2003)
11/13/2003		ELECTRONIC Clerk's Notes for proceedings held before Mag. Judge Kenneth P. Neiman. Arraignment as to Melvin Richardson (1) Count 1,2 held on 11/13/2003. Deft pleads not guilty. Schedule established with order to issue. (digital.) (Healy, Bethaney) (Entered: 01/12/2004)
12/02/2003	8	Govt's Notice of Intent to seek ehanced penalty as to Melvin Richardson filed.(Finn, Mary) (Entered: 12/03/2003)
12/02/2003	9	Letter (non-motion) regarding automatic discovery as to Melvin Richardson filed.(Finn, Mary) (Entered: 12/03/2003)
12/02/2003	11	Magistrate Judge Kenneth P. Neiman. CJA 20 as to Melvin Richardson : Appointment of Attorney Richard J. Maggi for Melvin Richardson. (Healy, Bethaney) (Entered: 12/05/2003)
12/03/2003	10	Letter (non-motion) regarding automatic discovery disclosure as to Melvin Richardson filed. (Finn, Mary) (Entered: 12/03/2003)
12/18/2003	12	NOTICE OF ATTORNEY APPEARANCE: Vincent A. Bongiorno appearing for Melvin Richardson (Lindsay, Maurice) (Entered: 12/18/2003)
12/23/2003		ELECTRONIC Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Status Conference as to Melvin Richardson held on 12/23/2003. Matter continued for further status conference on 1/12/2004 at 2:30 PM in Courtroom 3 before Magistrate Judge Kenneth

		P. Neiman. No report or further scheduling order to issue at this time. (Court Reporter digital.) (Healy, Bethaney) (Entered: 12/23/2003)
12/24/2003	<u>13</u>	JOINT MEMORANDUM pursuant to L.R. 116.5(A) of the parties re initial status conference by Melvin Richardson, USA filed. (Finn, Mary) (Entered: 12/24/2003)
01/12/2004	<u>14</u>	ELECTRONIC Clerk's Notes for proceedings held before Mag. Judge Kenneth P. Neiman. Status Conference as to Melvin Richardson held on 1/12/2004. Parties request additional time. Further schedule established-order to issue. Parties agree that time from arraignment (11/13/03) to date of next conference (3/4/04) shall be excluded from the Speedy Trial calculation. Order to issue. (Tape #digital.) (Healy, Bethaney) (Entered: 01/12/2004)
01/12/2004	<u>15</u>	Letter (non-motion) regarding discovery as to Melvin Richardson by U.S.A. filed. (Finn, Mary) (Entered: 01/12/2004)
01/12/2004	<u>16</u>	Judge Kenneth P. Neiman : ORDER entered. INTERIM STATUS REPORT as to Melvin Richardson Status Conference set for 3/4/2004 02:00 PM in Courtroom 3 before Magistrate Kenneth P. Neiman; cc/cl. (Finn, Mary) (Entered: 01/12/2004)
01/12/2004	<u>17</u>	Judge Kenneth P. Neiman : ORDER entered. INTERIM SCHEDULING ORDER as to Melvin Richardson. Delt's motion for discovery, if any, due 2/12/2004, Govt's resp. due fourteen (14) days of its receipt. Status Conference set for 3/4/2004 at 02:00 PM in Courtroom 3 before Magistrate Kenneth P. Neiman. Parties joint memorandum due by close of business on 3/02/2004; cc/cl. (Healy, Bethaney) (Entered: 01/12/2004)
01/12/2004	<u>18</u>	Judge Kenneth P. Neiman : ORDER entered ORDER ON EXCLUDABLE DELAY as to Melvin Richardson Time excluded from 11/13/2003 until 3/04/2004; cc/cl. (Healy, Bethaney) (Entered: 01/12/2004)
02/18/2004	<u>19</u>	MOTION for Extension of Time to 3/2/04 to File filing substantive motions as to Melvin Richardson . (Lindsay, Maurice) (Entered: 02/18/2004)
02/19/2004	<u>20</u>	Judge Kenneth P. Neiman : ELECTRONIC ORDER entered granting <u>18</u> Motion for Extension of Time to March 2, 2004, to File Discovery Motions as to Melvin Richardson (1). (Neiman, Kenneth) (Entered: 02/19/2004)
03/02/2004	<u>21</u>	MOTION for Disclosure of Confidential Informant as to Melvin Richardson . (Stuckenbruck, John) (Entered: 03/04/2004)
05/06/2004	<u>22</u>	Judge Kenneth P. Neiman : ELECTRONIC ORDER entered granting without objection <u>19</u> Defendant's Motion for Disclosure of Confidential Informant. (Neiman, Kenneth) (Entered: 05/06/2004)
05/06/2004	<u>23</u>	JOINT MEMORANDUM pursuant to L.R. 116.5(A) of the parties re initial status conference by Melvin Richardson filed. (Finn, Mary) (Entered: 05/06/2004)

05/06/2004	21	Judge Kenneth P. Neiman : INTERIM SCHEDULING ORDER as to Melvin Richardson entered. Interim Status Conference set for 6/22/2004 at 11:00 AM in Courtroom 3 before Magistrate Kenneth P. Neiman. Parties joint memorandum due by close of business on 6/18/2004; cc/cl. (Finn, Mary) Modified on 5/6/2004 (Finn, Mary). (Entered: 05/06/2004)
05/06/2004	22	Judge Kenneth P. Neiman : INTERIM STATUS REPORT as to Melvin Richardson entered. Status Conference set for 6/22/2004 at 11:00 AM in Courtroom 3 before Magistrate Kenneth P. Neiman;cc/cl. (Finn, Mary) Modified on 5/6/2004 (Finn, Mary). (Entered: 05/06/2004)
05/06/2004		Electronic Clerk's Notes for proceedings held before Judge Kenneth P. Neiman :Status Conference as to Melvin Richardson held on 5/6/2004. Counsel to resolve motion re: disclosure of informant. Deft. may need to file additional motions. Further status on 6/2/04 @ 11:00 AM. (Court Reporter CD Recorder.) (Stuckenbruck, John) (Entered: 05/10/2004)
06/21/2004	23	Parties JOINT MOTION to Cont. the status conf. set for 6/22/2004 to 7/13/2004 at 2:45 P.M. as to Melvin Richardson by USA, Melvin Richardson filed. (Finn, Mary) (Entered: 06/21/2004)
06/22/2004		Judge Kenneth P. Neiman : ELECTRONIC ORDER entered granting 23 Joint Motion to Continue Status Conference as to Melvin Richardson (1) to July 13, 2004, at 2:45 p.m. (Neiman, Kenneth) (Entered: 06/22/2004)
06/24/2004		Attorney update in case as to Melvin Richardson. Attorney Richard J. Maggi terminated. (Healy, Bethaney) (Entered: 06/24/2004)
06/24/2004	24	NOTICE OF ATTORNEY APPEARANCE James Richard Goodhines appearing for USA. (Stuckenbruck, John) (Entered: 06/25/2004)
07/13/2004		Electronic Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Status Conference as to Melvin Richardson held on 7/13/2004. Scheduling Order and Status Report to issue. (Court Reporter Digital Recording.) (Healy, Bethaney) (Entered: 07/14/2004)
07/14/2004	25	Magistrate Judge Kenneth P. Neiman. INTERIM SCHEDULING ORDER as to Melvin Richardson setting Deft's remaining disc. motions due by 7/29/04, with Govt's response by 8/13/04; final status conference set for 8/24/04 at 2:30 p.m.; joint memorandum due by 8/20/04, ENTERED, cc:cl. (Healy, Bethaney) (Entered: 07/14/2004)
07/14/2004	26	Magistrate Judge Kenneth P. Neiman. INTERIM STATUS REPORT as to Melvin Richardson, cc:cl. (Healy, Bethaney) (Entered: 07/14/2004)
08/12/2004	27	Dft's MOTION for Discovery relating to confidential informant as to Melvin Richardson. (Lindsay, Maurice) (Entered: 08/12/2004)
08/18/2004	28	MOTION to Continue status conference to 9/1/04 at 4:00 p.m. as to Melvin Richardson by USA. (Healy, Bethaney) (Entered: 08/19/2004)
08/18/2004	29	MOTION for Extension of Time to 8/27/04 to File Response/Reply as to 27 MOTION for Discovery as to Melvin Richardson by USA. (Healy, Bethaney) (Entered: 08/19/2004)

08/19/2004	●	Magistrate Judge Kenneth P. Neiman. ELECTRONIC ORDER granting 28 Motion to Continue Status Conference and granting 29 Motion for Extension of Time until 8/27/04 to File Response to motion for discovery, ENTERED, cc:cl. Allowed. Status Conference continued to September 1, 2004, at 4:00 p.m. (Healy, Bethaney) (Entered: 08/19/2004)
08/23/2004	●	Set/Reset Deadlines as to Melvin Richardson : Joint Memorandum due by 8/30/04. (Healy, Bethaney) (Entered: 08/23/2004)
08/27/2004	●30	RESPONSE to Motion by USA as to Melvin Richardson re 27 MOTION for Discovery (Healy, Bethaney) (Entered: 08/30/2004)
08/30/2004	●31	JOINT SUBMISSION pursuant to Local Rule 116.5(A) as to Melvin Richardson filed. (Finn, Mary) (Entered: 08/30/2004)
09/01/2004	●	Electronic Clerk's Notes for proceedings held before Judge Kenneth P. Neiman :Final status conference as to Melvin Richardson held on 9/1/2004. Discussion re: discovery issues. Deft. to file any motion to compel by 9/24. Govt. to respond to motion by 10/1. Continuation of conference on 10/14 @11:00 AM. Order to issue. (Court Reporter CD recorder.) (Stuckenbruck, John) (Entered: 09/01/2004)
09/02/2004	●	Judge Kenneth P. Neiman : ELECTRONIC ORDER entered granting 27 Motion for Discovery as to Melvin Richardson (1) to the extent that the Government, in its response, has agreed to provide certain requested information. The parties' remaining dispute is subject to the Further Scheduling Order to be issued this day. (Neiman, Kenneth) (Entered: 09/02/2004)
09/02/2004	●32	Judge Kenneth P. Neiman : FURTHER SCHEDULING ORDER as to Melvin Richardson entered. The Govt. shall file its supplement to its resp. to the Deft's motion for discovery by 9/17/2004. Deft. may file a motion to compel by 9/24/2004, to which the Govt. shall resp. by 10/01/2004. The Final Status Conf. is continued to 10/14/2004 at 11:00 AM in Courtroom 3 before Magistrate Kenneth P. Neiman, at which time the Court will address any outstanding discovery motions; cc/cl. (Finn, Mary) (Entered: 09/02/2004)
09/16/2004	●33	Assented to MOTION for Extension of Time to September 27, 2004 to File Response/Reply <i>Government's Response to Defendant's Motion for Discovery</i> as to Melvin Richardson by USA. (Smyth, Paul) (Entered: 09/16/2004)
09/17/2004	●	Judge Kenneth P. Neiman : ELECTRONIC ORDER entered granting 33 the Government's assented-to Motion for Extension of Time to September 27, 2004, to File Response/Reply as to Melvin Richardson (1). (Neiman, Kenneth) (Entered: 09/17/2004)
09/27/2004	●34	Govt's RESPONSE to Deft. Melvin Richardson's re 27 MOTION for Discovery filed. (Finn, Mary) (Entered: 09/28/2004)
09/27/2004	●35	Govt's AMENDED RESPONSE to Deft. Melvin Richardson's re 27 MOTION for Discovery filed. (Finn, Mary) (Entered: 09/28/2004)

10/06/2004	36	MOTION to Continue status conference to 10/20/04 at 3:00 p.m. as to Melvin Richardson, filed. (Healy, Bethaney) (Entered: 10/06/2004)
10/06/2004		Magistrate Judge Kenneth P. Neiman. ELECTRONIC ORDER granting 36 Motion to Continue as to Melvin Richardson (1) ENTERED, cc:cl. Status Conference continued to October 20, 2004, at 3:00 p.m. in Courtroom Three. (Healy, Bethaney) (Entered: 10/06/2004)
10/07/2004	37	Def't's MOTION to Reschedule Status Conference to 10/20/04 as to Melvin Richardson. (Lindsay, Maurice) (Entered: 10/07/2004)
10/08/2004		Motions terminated as to Melvin Richardson : 37 MOTION to Continue to 10/20/04 to Reschedule Status Conference filed by Melvin Richardson. (37 is a duplicate of 36 motion to continue) (Healy, Bethaney) (Entered: 10/08/2004)
10/20/2004		Electronic Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Counsel (Attys Smyth and Bongiorno) appear for Interim Status Conference as to Melvin Richardson held on 10/20/2004. Colloquy re: status of discovery. Order to issue. (Court Reporter FTR.) (Healy, Bethaney) (Entered: 10/20/2004)
10/20/2004		Attorney update in case as to Melvin Richardson. Attorney Paul Smyth for USA added. Attorney William M. Welch terminated. (Healy, Bethaney) (Entered: 10/20/2004)
10/20/2004		Judge Kenneth P. Neiman : ORDER entered as to Melvin Richardson further ALLOWING, after arguments in court this day, his Motion for Discovery 27 as follows: by November 3, 2004, the Government shall provide Defendant all discovery previously ordered by the court plus (a) all documentary evidence from law enforcement agencies concerning contacts and/or activities of the informant in this matter vis-a-vis Defendant and (b) the periods of time during which the individual acted as an informant for these agencies from January 1, 2000, through October 30, 2003. So ordered. (Neiman, Kenneth) (Entered: 10/20/2004)
10/21/2004	38	Magistrate Judge Kenneth P. Neiman. INTERIM SCHEDULING ORDER as to Melvin Richardson ENTERED, cc:cl. Govt to provide Def't with Discovery ordered by the court by 11/3/2004; Final Status Conference set for 11/17/2004 at 4:00 PM in Courtroom 3 before Magistrate Judge Kenneth P. Neiman; joint memo by 11/15/04. (Healy, Bethaney) (Entered: 10/21/2004)
10/21/2004	39	Magistrate Judge Kenneth P. Neiman. INTERIM STATUS REPORT as to Melvin Richardson, cc:cl. (Healy, Bethaney) (Entered: 10/21/2004)
11/17/2004	40	Def't's motion to cont. the status conf. set for 11/17/2004 for three (3) weeks as to Melvin Richardson filed.. (Finn, Mary) (Entered: 11/17/2004)
11/17/2004		Magistrate Judge Kenneth P. Neiman. ELECTRONIC ORDER granting 40 Motion to Continue Status Conference as to Roosevelt Archie (1), ENTERED, cc:cl. ALLOWED. Counsel shall appear for a status

		conference on 12/7/04 at 3:00 p.m. in Courtroom Three. A joint memorandum shall be filed with the court by 12/6/04. THERE SHALL BE NO FURTHER EXTENSIONS (Healy, Bethaney) (Entered: 11/18/2004)
12/07/2004		JOINT MEMORANDUM of the parties re initial status conference by Melvin Richardson <i>Final Status Memorandum</i> (Smyth, Paul) (Entered: 12/07/2004)
12/07/2004		JOINT MEMORANDUM pursuant to L.R. 116.5 of the parties re initial status conference by Melvin Richardson, USA filed. (Finn, Mary) (Entered: 12/08/2004)
12/08/2004		Electronic Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Counsel (Attys Bongiorno and Smyth) appear for Status Conference as to Melvin Richardson held on 12/8/2004. Order to issue. (Court Reporter FTR.) (Healy, Bethaney) (Entered: 12/09/2004)
12/08/2004		Judge Kenneth P. Neiman : FINALSTATUS REPORT as to Melvin Richardson entered. Pretrial Conference set for 12/17/2004 at 02:00 PM in Courtroom 1 before Judge Michael A Ponsor; cc/cl. (Finn, Mary) (Entered: 12/20/2004)
01/05/2005		NOTICE OF RESCHEDULING as to Melvin Richardson Status Conference REset for 1/14/2005 03:00 PM in Courtroom 1 before Judge Michael A Ponsor. (original conference set for 12/17/04(French, Elizabeth) (Entered: 01/05/2005)
01/24/2005		NOTICE OF RESCHEDULING as to Melvin Richardson Status Conference RESET for 1/28/2005 01:00 PM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 01/24/2005)
01/28/2005		Electronic Clerk's Notes for proceedings held before Judge Michael A Ponsor :Status Conference as to Melvin Richardson held on 1/28/2005 Counsel for def. to file motion to dismiss, if any, by 2/28/05; Opposition by 3/25/05; if no motion to be filed, counsel shall submit letter indicating that; Government to file appropriate motion for excludable delay; once motion filed, hearing may be set or rule on papers; trial to be set once all rulings made; (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 01/28/2005)
01/28/2005		MOTION for Excludable Delay from January 28, 2005 to February 28, 2005 as to Melvin Richardsonby USA. (Smyth, Paul) (Entered: 01/28/2005)
01/31/2005		Magistrate Judge Kenneth P. Neiman. ELECTRONIC ORDER granting 46 Motion for Order of Excludable Delay as to Melvin Richardson (1) ENTERED, cc:cl. (Healy, Bethaney) (Entered: 01/31/2005)
01/31/2005		Magistrate Judge Kenneth P. Neiman. ORDER ON EXCLUDABLE DELAY as to Melvin Richardson ENTERED, cc:cl. Time excluded from January 28, 2005 until February 28, 2005. (Healy, Bethaney) (Entered: 01/31/2005)

04/15/2005	<u>48</u>	Joint MOTION for Excludable Delay from February 28, 2005 to April 14, 2005 as to Melvin Richardson by USA. (Smyth, Paul) (Entered: 04/15/2005)
04/25/2005	<u>49</u>	NOTICE OF HEARING as to Melvin Richardson Status Conference set for 5/18/2005 02:00 PM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 04/25/2005)
04/29/2005	<u>50</u>	Def't's MOTION for Reconsideration of the 5 Order of Detention dated 11/03/2003 as to Melvin Richardson filed. (Finn, Mary) (Entered: 04/29/2005)
04/29/2005		NOTICE OF HEARING ON MOTION as to Melvin Richardson, ISSUED. Hearing on Motion to Reconsider Order of Detention (Doc. No. 50) set for 5/3/2005 at 2:00 PM in Courtroom 25 before Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 04/29/2005)
05/03/2005		Judge Kenneth P. Neiman : Electronic ORDER entered granting 48 Motion to Exclude Time; and denying 50 Motion for Reconsideration of Order of Detention for the reasons stated in court this day. (Neiman, Kenneth) (Entered: 05/03/2005)
05/03/2005		Electronic Clerk's Notes for proceedings held before Magistrate Judge Kenneth P. Neiman. Counsel (Attys Smyth and Bongiorno) and Defendant appear for Motion Hearing as to Melvin Richardson held on 5/3/2005 re 50 MOTION for Reconsideration re 5 Order of Detention filed by Melvin Richardson. Arguments heard. Motion denied. Defendant to remain in custody pending trial. (Court Reporter FTR.) (Healy, Bethaney) (Entered: 05/03/2005)
05/18/2005		Electronic Clerk's Notes for proceedings held before Judge Michael A Ponsor :Status Conference as to Melvin Richardson held on 5/18/2005 - Counsel report case will proceed to trial; Jury Trial set for 8/29/2005 09:00 AM in Courtroom 1 before Judge Michael A Ponsor. (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 05/18/2005)
06/20/2005	<u>51</u>	Assented to MOTION for Excludable Delay from May 18, 2005 to August 29, 2005 as to Melvin Richardson by USA. (Smyth, Paul) (Entered: 06/20/2005)
07/07/2005		Magistrate Judge Kenneth P. Neiman. ELECTRONIC ORDER granting 51 Motion to Exclude Time from 5/18/05 to 8/29/05 as to Melvin Richardson (1), ENTERED, cc:cl. (Healy, Bethaney) (Entered: 07/07/2005)
07/07/2005	<u>52</u>	Magistrate Judge Kenneth P. Neiman. ORDER ON EXCLUDABLE DELAY as to Melvin Richardson ENTERED, cc:cl. Time excluded from May 18, 2005 until August 29, 2005. (Healy, Bethaney) (Entered: 07/07/2005)
08/11/2005	<u>53</u>	SUPERSEDING INDICTMENT as to Melvin Richardson (1) count(s) 1s, 2s, 3s, 4s. (Healy, Bethaney) (Entered: 08/11/2005)
08/16/2005		NOTICE OF HEARING as to Melvin Richardson COUNSEL

		NOTIFIED BY PHONE Status Conference RE: Status of Trial date set for 8/23/2005 02:00 PM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 08/16/2005)
08/17/2005	<u>54</u>	Def't's MOTION to Continue the jury trial set for 8/29/2005 as to Melvin Richardson filed. (Finn, Mary) (Entered: 08/17/2005)
08/19/2005		Judge Michael A Ponsor : Electronic ORDER entered granting <u>54</u> Motion to Continue trial as to Melvin Richardson (1) The status conference set for 8/23/05 at 2:00 p.m. shall remain to discuss further scheduling (French, Elizabeth) (Entered: 08/19/2005)
08/23/2005		Electronic Clerk's Notes for proceedings held before Judge Michael A Ponsor :Status Conference as to Melvin Richardson held on 8/23/2005 Arraignment on superseding indictment to be held on 8/29/ at 11:00 a.m before Magistrate Judge Neiman; Automatic discovery deadline 8/19/05; Def to file motions by 9/19/05; opposition by 10/11/05, once motions filed a determination will be made as to whether evidentiary hearing is necessary; (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 08/29/2005)
08/29/2005		Electronic Clerk's Notes for proceedings held before Judge Kenneth P. Neiman :Arraignment on superseding indictment as to Melvin Richardson (1) Count 1s,2s,3s,4s held on 8/29/2005, Plea entered by Melvin Richardson, Not Guilty on counts 1s,2s,3s,4s. (Digital Recorder #CD.) (Stuckenbruck, John) (Entered: 08/29/2005)
09/16/2005	<u>55</u>	MOTION for Discovery as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 09/16/2005)
09/16/2005	<u>56</u>	MOTION to Sever as to Melvin Richardson. (Attachments: # <u>1</u> # <u>2</u>) (Bongiorni, Vincent) (Entered: 09/16/2005)
09/16/2005	<u>57</u>	MOTION to Suppress as to Melvin Richardson. (Attachments: # <u>1</u> # <u>2</u>) (Bongiorni, Vincent) (Entered: 09/16/2005)
10/11/2005	<u>58</u>	MEMORANDUM in Opposition by USA as to Melvin Richardson re <u>56</u> MOTION to Sever (Smyth, Paul) Additional attachment(s) added on 10/11/2005 (Finn, Mary). (Entered: 10/11/2005)
10/11/2005	<u>59</u>	MEMORANDUM in Opposition by USA as to Melvin Richardson re <u>57</u> MOTION to Suppress (Smyth, Paul) (Entered: 10/11/2005)
10/27/2005	<u>60</u>	NOTICE OF HEARING ON ALL PENDING MOTIONS as to Melvin Richardson HEARING SET FOR 11/28/05 AT 2:00 P.M.; EVIDENTIARY HEARING 11/28/05 AT 2:00 P.M. ON MOTION TO SUPPRESS (French, Elizabeth) (Entered: 10/27/2005)
11/21/2005		NOTICE TO COUNSEL RE: MOTION TO SUPPRESS HEARING SET FOR 11/28/05 TIME CHANGE ONLY TIME CHANGED TO 2:30 P.M. as to Melvin Richardson: (French, Elizabeth) (Entered: 11/21/2005)
11/28/2005		ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor : Evidentiary Hearing did not go forward due to defense counsel


		schedule; Status Conference held as to Melvin Richardson held on 11/28/2005 - Evidentiary Hearing reset for 12/22/05 at 9:30 a.m. (Court Reporter Sara Mubarek.) (French, Elizabeth) (Entered: 11/29/2005)
11/28/2005	60	Set/Reset Hearings as to Melvin Richardson: Evidentiary Hearing reset for 12/22/2005 09:30 AM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 11/29/2005)
11/29/2005	61	Assented to MOTION for Excludable Delay from November 28, 2005 to December 22, 2005 as to Melvin Richardsonby USA. (Smyth, Paul) (Entered: 11/29/2005)
12/22/2005	62	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Evidentiary Hearing as to Melvin Richardson held on 12/22/2005 9:30 a.m. Government witnesses; Sean Maher, David Mims; Exhibits entered Gov 1-4; Def. A-C; Court denies motion to suppress; denies motion to sever; Trial set for 3/20/06 at 9:00 a.m. (Court Reporter Sara Mubarek.) (French, Elizabeth) (Entered: 12/22/2005)
12/22/2005	63	Set/Reset Deadlines/Hearings as to Melvin Richardson: Jury Trial set for 3/20/2006 09:00 AM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 12/22/2005)
12/22/2005	64	Judge Michael A Ponsor : Electronic ORDER entered denying 57 Motion to Suppress as to Melvin Richardson (1) (French, Elizabeth) (Entered: 12/22/2005)
12/22/2005	65	Judge Michael A Ponsor : Electronic ORDER entered denying 56 Motion to Sever as to Melvin Richardson (1) (French, Elizabeth) (Entered: 12/22/2005)
12/23/2005	66	Assented to MOTION for Excludable Delay from December 22, 2005 to March 20, 2006 as to Melvin Richardsonby USA. (Smyth, Paul) (Entered: 12/23/2005)
12/27/2005	67	Judge Michael A Ponsor : Electronic ORDER entered granting 62 Motion to Exclude as to Melvin Richardson (1) "Allowed, in the interests of justice to insure continuity of counsel" (French, Elizabeth) (Entered: 12/28/2005)
01/19/2006	68	Judge Michael A Ponsor : Electronic ORDER entered granting 61 Motion to Exclude as to Melvin Richardson (1) "The interests of justice in this circumstance outweigh the usual interest in a speedy trial" (French, Elizabeth) (Entered: 01/19/2006)
02/07/2006	69	NOTICE OF HEARING as to Melvin Richardson Status Conference set for 2/27/2005 01:30 PM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 02/07/2006)
02/27/2006	70	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Status Conference as to Melvin Richardson held on 2/27/2006 - Counsel report trial will go forward as scheduled; Motions in limine, proposed jury instructions and voir dire questions to be filed 3/10/06 (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 02/27/2006)

03/09/2006	●	Case as to Melvin Richardson no longer referred to Magistrate Judge Kenneth P. Neiman. (Healy, Bethaney) (Entered: 03/09/2006)
03/10/2006	●64	First MOTION in Limine as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 03/10/2006)
03/10/2006	●65	MOTION in Limine <i>TO IMPEACH THE DEFENDANT WITH HIS PRIOR CONVICTIONS</i> as to Melvin Richardsonby USA. (Smyth, Paul) (Entered: 03/10/2006)
03/10/2006	●66	MEMORANDUM in Support by USA as to Melvin Richardson re <u>65</u> MOTION in Limine <i>TO IMPEACH THE DEFENDANT WITH HIS PRIOR CONVICTIONS</i> (Smyth, Paul) (Entered: 03/10/2006)
03/13/2006	●	NOTICE TO COUNSEL AS TO Melvin Richardson: TRIAL IN THIS CASE HAS BEEN RESET AND SHALL GO FORWARD ON 3/23/06 AT 9:00 a.m. FOR JURY SELECTION; OPENING ARGUMENTS AND TESTIMONY SHALL BEGIN ON 3/27/06 AT 9:00 A.M. (French, Elizabeth) (Entered: 03/13/2006)
03/16/2006	●67	EXHIBIT/WITNESS LIST by USA as to Melvin Richardson (Smyth, Paul) (Entered: 03/16/2006)
03/17/2006	●68	Proposed Voir Dire by USA as to Melvin Richardson (Smyth, Paul) (Entered: 03/17/2006)
03/20/2006	●69	MOTION in Limine as to Melvin Richardsonby USA. (Smyth, Paul) (Entered: 03/20/2006)
03/22/2006	●70	Proposed Jury Instructions by USA as to Melvin Richardson (Smyth, Paul) (Entered: 03/22/2006)
03/22/2006	●71	EXHIBIT/WITNESS LIST by Melvin Richardson (Bongiorni, Vincent) (Entered: 03/22/2006)
03/22/2006	●72	EXHIBIT/WITNESS LIST by USA as to Melvin Richardson (Smyth, Paul) (Entered: 03/22/2006)
03/22/2006	●73	First MOTION for Protective Order as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 03/22/2006)
03/22/2006	●74	MEMORANDUM in Opposition by USA as to Melvin Richardson re <u>64</u> First MOTION in Limine (Smyth, Paul) (Entered: 03/22/2006)
03/23/2006	●	Judge Michael A Ponsor : ORDER entered granting <u>73</u> Motion for Protective Order as to Melvin Richardson (1) (French, Elizabeth) (Entered: 03/23/2006)
03/23/2006	●	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Voir Dire begun on 3/23/2006 Melvin Richardson (1) on Count 1s,2s,3s,4s Jury selection completed; Openings to be presented on March 27, 2006 at 9:00 a.m.; counsel to report at 8:30 a.m. (Court Reporter Sara Mubarek.) (French, Elizabeth) (Entered: 03/27/2006)
03/24/2006	●75	First MEMORANDUM in Support by Melvin Richardson re <u>64</u> First

		MOTION in Limine (Bongiorni, Vincent) (Entered: 03/24/2006)
03/24/2006	<u>76</u>	MOTION in Limine as to Melvin Richardson by USA. (Smyth, Paul) (Entered: 03/24/2006)
03/25/2006	<u>77</u>	EXHIBIT/WITNESS LIST by USA as to Melvin Richardson (Smyth, Paul) (Entered: 03/25/2006)
03/26/2006	<u>78</u>	MOTION in Limine as to Melvin Richardson by USA. (Smyth, Paul) (Entered: 03/26/2006)
03/27/2006	<u>79</u>	EXHIBIT/WITNESS LIST by USA as to Melvin Richardson (Smyth, Paul) (Entered: 03/27/2006)
03/27/2006	<u>80</u>	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Jury Trial as to Melvin Richardson held on 3/27/2006 8:30 a.m. counsel only re: pending motions; 9:00 a.m. jury enters and opening statements; Govt's case begins with testimony of Sean Maher, Daniel Nimms; James Martin; Recess for day 1:00 p.m. Trial to resume on 3/28/06 at 8:30 a.m. (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 03/27/2006)
03/28/2006	<u>81</u>	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Jury Trial as to Melvin Richardson held on 3/28/2006 - Governments case continues w/testimony of James Martin; Testimony of Agent VanAlstne; Wheeler and Barron taken; Recess for day 1:00 p.m.; Trial to resume 3/29/06 at 8:45 a.m. (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 03/28/2006)
03/29/2006	<u>82</u>	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Jury Trial as to Melvin Richardson held on 3/29/2006 9:00 a.m. Government's case continues w/testimony of Agent Barron; Testimony of Kenneth Gagnon, Charles Culamare taken; Govt rests; Defendant moves for judgment of acquittal - motion denied; defense case begins w/testimony of Melvin Richardson; 3:00 p.m. recess for day; Trial to resume 3/30/06 at 9:00 a.m. (Court Reporter Alice Moran.) (French, Elizabeth) (Entered: 03/29/2006)
03/30/2006	<u>83</u>	First MOTION for Acquittal as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 03/30/2006)
03/30/2006	<u>84</u>	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :9:00 a.m. Jury Trial as to Melvin Richardson held on 3/30/2006 Defense case continues w/continuation of testimony of Melvin Richardson and Paula Wells; Defense rests; 1:00 p.m. recess; Closing arguments and charge to Jury to be at 10:00 a.m. 3/31/06 (Court Reporter Alice Moran.) (French, Elizabeth) Modified on 3/31/2006 (French, Elizabeth). (Entered: 03/31/2006)
03/31/2006	<u>85</u>	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Jury Trial as to Melvin Richardson held on 3/31/2006 9:00 a.m. closing arguments by counsel; Charge to Jury; deliberations begin 12:55; Jury verdict 3:00 p.m.; Verdict Guilty Counts 1-4; Forfeiture count -

		Court inquires of defendant and advises of right to jury trial - defendant waives right to jury trial; Memos to be submitted by counsel on 4/10/06 - Sentencing set for 6/29/06 at 2:30 p.m. (Written waiver of jury trial on forfeiture count submitted by defendant) (Court Reporter Sara Mubarek.) (French, Elizabeth) (Entered: 03/31/2006)
03/31/2006	<u>83</u>	JURY VERDICTs as to Melvin Richardson (1) Guilty on Count 1s,2s,3s,4s. (French, Elizabeth) (Entered: 04/06/2006)
03/31/2006	<u>84</u>	WAIVER OF RIGHT TO TRIAL BY JURY RE: FORFEITURE COUNT (Filed in Open Court) by Melvin Richardson (French, Elizabeth) (Entered: 04/06/2006)
04/04/2006	<u>81</u>	First MOTION for Extension of Time to June 29, 2006 to File Motion for New Trial as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 04/04/2006)
04/06/2006	<u>82</u>	Second MOTION for Acquittal <i>Federal Rules Crim Proc 29(c)</i> as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 04/06/2006)
04/06/2006		Judge Michael A Ponsor : endorsedORDER entered denying <u>81</u> Motion for Extension of Time to File as to Melvin Richardson (1) "The requested date, June 29, 2006 is too far off and would afford the government no time to oppose prior to sentencing; denying <u>82</u> Motion for Aequittal as to Melvin Richardson (1) (French, Elizabeth) (Entered: 04/06/2006)
04/13/2006	<u>85</u>	MOTION for Forfeiture of Property as to Melvin Richardsonhy USA. (Smyth, Paul) (Entered: 04/13/2006)
05/09/2006	<u>86</u>	Judge Michael A Ponsor : MEMORANDUM AND ORDER entered. ORDER DIRECTING FORFEITURE OF PROPERTY as to Melvin Richardson. (See Order for complete details) (French, Elizabeth) (Entered: 05/11/2006)
05/15/2006	<u>87</u>	First MOTION to Continue as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 05/15/2006)
05/19/2006		Judge Michael A Ponsor : ENDORSEDORDER entered granting <u>87</u> Motion to Continue as to Melvin Richardson (1) Sentencing RESET for 7/25/2006 11:30 AM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 05/19/2006)
07/11/2006		ELECTRONIC NOTICE OF RESCHEDULING as to Melvin Richardson Sentencing RESET for 9/21/2006 02:00 PM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 07/11/2006)
09/18/2006	<u>88</u>	MOTION for Extension of Time to File file presentence report objections and continue sentencing date as to Melvin Richardson. (Bongiorni, Vincent) (Entered: 09/18/2006)
09/22/2006		Judge Michael A Ponsor : endorsedORDER entered granting <u>88</u> Motion for Extension of Time to file objections to PSR as to Melvin Richardson (1) Objections due by 9/29/06; Objections will be dealt with on a separate

		basis and not incorporated into PSR; Sentencing reset to 10/5/06 at 3:00 p.m. (French, Elizabeth) (Entered: 09/22/2006)
09/22/2006	●	Set/Reset Deadlines/Hearings as to Melvin Richardson: Sentencing RESET for 10/5/2006 03:00 PM in Courtroom 1 before Judge Michael A Ponsor. (French, Elizabeth) (Entered: 09/22/2006)
09/28/2006	●89	OBJECTION TO PRESENTENCE INVESTIGATION REPORT by Melvin Richardson (Bongiorni, Vincent) (Entered: 09/28/2006)
10/05/2006	●	ElectronicClerk's Notes for proceedings held before Judge Michael A Ponsor :Sentencing held on 10/5/2006 for Melvin Richardson (1), Count (s) 1s,2s,3s,4s 216 months imprisonment to consist of terms of 216 months on each count to be served concurrently w/one another; Jud. Rec: That defendant be permitted to participate in the 500 hour intensive drug abuse program and that he be allowed to serve this sentence at the Federal Facility located in Ft. Devens, MA; Def. remanded to cusstody of U.S. Marshal Service; 4 yrs Sup Rel. on all counts to be served concurrently w/one another; Possess no firearm, participate in program for substance abuse as directed b Probation, which program may include testing, not to exceed 104 drug tests per year, and contribute to costs of services for such treatment based on ability to pay; Participate in a mental health treatment program as directed and contribute to costs based on ability to pay; \$400 assessment fee due immediately;. (Court Reporter Philbrins & Associates.) (French, Elizabeth) (Entered: 10/11/2006)
10/11/2006	●90	NOTICE OF APPEAL by Melvin Richardson NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 10/31/2006. (Attachments: # 1 Supplement Informapauperis)(Bongiorni, Vincent) (Entered: 10/11/2006)
10/11/2006	●91	Dft's MOTION/Application to proceed without prepayment of fees and affidavit regarding his 90 Appeal In Forma Pauperis as to Melvin Richardson. (Lindsay, Maurice) (Entered: 10/12/2006)
10/13/2006	●92	Judge Michael A Ponsor : ORDER entered. JUDGMENT as to Melvin Richardson (1), Count(s) 1s, 216 months imprisonment to consist of terms of 216 months on each count to be served concurrently w/one another; Jud. Rec: That defendant be permitted to participate in the 500 hour intensive drug abuse program and that he be allowed to serve this sentence at the Federal Facility located in Ft. Devens, MA; Def. remanded to cusstody of U.S. Marshal Service; 4 yrs Sup Rel. on all counts to be served concurrently w/one another; Possess no firearm, participate in program for substance abuse as directed b Probation, which program may include testing, not to exceed 104 drug tests per year, and contribute to costs of services for such treatment based on ability to pay; Participate in a mental health treatment program as directed and contribute to costs based on ability to pay; \$400 assessment fee due immediately; (French, Elizabeth) (Entered: 10/13/2006)

10/13/2006	 Judge Michael A Ponsor : ENDORSED ORDER entered. granting Dft's 91 MOTION/Application to proceed without prepayment of fees and affidavit (to Appeal In Forma Pauperis) cc/cl (Lindsay, Maurice) (Entered: 10/13/2006)
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